

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**MICHAEL WALTON**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 5:12CV146DCB-RHW**

**ILLINOIS CENTRAL RAILROAD  
COMPANY, ET AL.**

**DEFENDANTS**

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**ORDER**

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This matter came before the Court on the Motion of the Defendant Illinois Central Corporation to Dismiss [Docket # 7] and the Motion of the Defendant Canadian National Railway Company to Dismiss [Docket # 9]. The Court, having reviewed the Motions, having been informed that the Plaintiff does not oppose the Motions, and being otherwise advised in the premises, finds that the Motions are well taken and should be GRANTED.

IT IS THEREFORE ORDERED AND ADJUDGED that the Motion of the Defendant Illinois Central Corporation to Dismiss [Docket # 7] and the Motion of the Defendant Canadian National Railway Company to Dismiss [Docket # 9] pursuant to Fed. R. Civ. P. 12(b)(2) should be and are hereby granted because this Court lacks personal jurisdiction over Defendants Illinois Central Corporation and Canadian National Railway Company. Accordingly, all of the Plaintiff's claims against them are hereby dismissed without prejudice. The Court further finds that there is no just reason for delay and does hereby enter a separate final judgment of dismissal pursuant to Fed. R. Civ. P. 54(b).

SO ORDERED this the 21<sup>st</sup> day of December, 2012.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE

Agreed to and approved by:

/s/ James E. Graves, III

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